

### **REMARKS**

Reconsideration of the present application is respectfully requested.

#### **Summary of Office Action**

Claims 1-38 were rejected under 35 U.S.C § 102(e) as being anticipated by U.S. Patent No. 7,224,778 of Aoki ("Aoki").

#### **Summary of Amendments**

In this amendment, claims 1, 13, and 27 have been amended. Claim 39 has been added. No new matter has been added.

#### **Discussion of 35 U.S.C. § 102(e) Rejection**

In one embodiment, the present invention relates to methods and systems for efficient management of e-mail opt-out or unsubscribe information received from a user. Here, the user is provided with one configurable opt-out link to provide specific contextual information on what he desires to be opted-out or unsubscribed from. In one embodiment, a clearinghouse database is utilized to store the user's email address and the corresponding contextual information. This contextual information is processed based on rule-based and/or learning-based utilities. **The email address is then fit within a permission spectrum based on the corresponding processed contextual information.** An outside entity can then send information to the e-mail address by first **identifying where the particular email resides within the permission spectrum, and accordingly tailoring the information to be sent.**

### **Independent Claims 1, 13, and 27**

Accordingly, independent claims 1, 13, and 27 have been amended to recite in relevant part, "processing the contextual information corresponding to the e-mail address for rule-based and learning-based use **to fit the e-mail address within a permission spectrum based on the processed contextual information;**" and "distributing or sharing the e-mail address and processed contextual information to an entity, wherein **the entity sends information to the e-mail address based on the permission level indicated by the permission spectrum**" (emphasis added).

Aoki, on the other hand, does not teach or suggest at all that a permission spectrum is used to fit each email address associated with a user based on processed contextual information. Aoki generally relates to managing "subscription-type arrangements involving a recurring series of messages" (Abstract, lines 1-4). Aoki teaches techniques for creating an "approved list of [incoming] message sources in a subscription database" that can be controlled and revised by a recipient (Col. 1, lines 58-63). Aoki is clearly distinguishable from the present invention at least for the reasons discussed below.

Aoki teaches that any incoming message is processed to determine any subscription settings (Col. 6, lines 4-26). Aoki also teaches that the message is then routed to a user or returned based on the subscription settings. However, Aoki does not teach at all that the subscription settings are processed such that the email address corresponding to the subscription settings are placed in a permission spectrum. Specifically, **Aoki does not even teach assigning email addresses to a particular location within a permission spectrum based on contextual information provided by the user**, as provided by amended claims 1, 13, and 27 of the present invention.

Third, contrary to the amended claims in the present invention, **Aoki does not teach** or suggest at all **that a third-party entity refers to the permission spectrum to identify where a particular email address resides within the spectrum**, nor does it even indicate that the **entity sends information to the particular email address based on where it resides in the permission spectrum**.

For at least the above reasons, therefore, independent claims 1, 13, and 27 are thought to be patentable over the cited art. In addition, the dependent claims corresponding to claims 1, 13, and 27 recite the patentable features of their respective independent claims. Therefore, these dependent claims are also thought to be patentable over the cited art by virtue of being dependent from claims 1, 13, and 27.

#### **Independent Claim 27**

In addition to the patentable distinctions discussed above with respect to claims 1, 13, and 27, claim 27 further includes another patentable feature, which in relevant part recites, "collecting an e-mail address and contextual information for a user, wherein the user is provided with **a configurable opt-out link** to provide the contextual information;"

Aoki teaches that a listing of approved message sources is maintained for each e-mail address, along with "predetermined parameters" (Col. 5, lines 27-39). Aoki only suggests that a user can control or periodically updated by the user "through direct communications with the database or indirect communications via the subscription manager" Id. In contrast, claim 27 of the present invention provides that the user is provided with a configurable opt-out link to provide contextual information before the information can be stored in the database. **Aoki does not suggest or teach at all that**

**a user is provided with a configurable opt-out link** where the user can provide the contextual information.

For at least this reason, Applicants submit that claim 27 and all claims dependent on claim 27 are distinguishable from Aoki.

Therefore, Applicants respectfully request the Examiner to withdraw the § 102 rejections to claims 1-38.

### **Dependent Claims**

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

**CONCLUSION**

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges, please charge Deposit Account No. 50-2207.

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Respectfully submitted,

By 

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